

Before the
Federal Communications Commission
Washington, D.C. 20554

FEDERAL MAIL CENTER

Nov 30 5 51 PM '05

In the Matter of)	
)	
Improving Public Safety Communications in the)	WT Docket 02-55
800 MHz Band)	
)	
Consolidating the 800 and 900 MHz)	
Industrial/Land Transportation and Business Pool)	
Channels)	
)	
Amendment of Part 2 of the Commission's Rules)	ET Docket No. 00-258
to Allocate Spectrum Below 3 GHz for Mobile)	
and Fixed Services to Support the Introduction of)	
New Advanced Wireless Services, including Third)	
Generation Wireless Systems)	
)	
Petition for Rule Making of the Wireless)	RM-9498
Information Networks Forum Concerning the)	
Unlicensed Personal Communications Service)	
)	
Petition for Rule Making of UT Starcom, Inc.,)	RM-10024
Concerning the Unlicensed Personal)	
Communications Service)	
)	
Amendment of Section 2.106 of the Commission's)	ET Docket No. 95-18
Rules to Allocate Spectrum at 2 GHz for Use by)	
the Mobile Satellite Service)	
)	
AIRPEAK Communications, LLC 800 MHz)	
ESMR Election, Request for Waiver)	
)	
Airtel Wireless, LLC 800 MHz ESMR Election,)	
Request for Waiver)	

ERRATUM**Released: November 25, 2005**

By the Chief, Public Safety and Critical Infrastructure Division, Wireless Telecommunications Bureau:

1. On October 5, 2005, the Commission released a *Memorandum Opinion and Order*, FCC 05-174, in the above-captioned proceeding.¹ This Erratum corrects three typographical errors in that document.

¹ See *Improving Public Safety Communications in the 800 MHz Band*, *Memorandum Opinion and Order*, WT Docket 02-55, 20 FCC Rcd 16015 (2005).

2. We replace the date November 12, 2004 in the sixth bullet of paragraph 3 with the date November 22, 2004. Thus, the sixth bullet in paragraph 3 is corrected to read as follows:

- permit Nextel to receive credit in the 800 MHz 'true-up' process for the relocation of certain additional BAS incumbent licensees whose licenses were issued prior to November 22, 2004; and

3. We eliminate duplicative sentences in Paragraph 106 by removing the first pair of duplicative sentences and the accompanying footnote (footnote number 295) and reducing all following footnotes in number by one. Thus, paragraph 106 is corrected to read as follows:

106. While not required to do so, Nextel has voluntarily agreed to fund the relocation of the secondary BAS incumbents that were licensed after June 27, 2000 but before November 22, 2004, so long as it receives credit for these costs in the 800 MHz true-up process.²⁹⁴ Nextel, MSTV, and NAB argue that, because Nextel is coordinating the BAS relocation on a market-by-market basis, there are public interest benefits to allowing Nextel to relocate these BAS licensees and to obtain credit for the relocation. Specifically, if there are few (or no) BAS incumbents left in a particular market that could interfere with or otherwise complicate the deployment of Nextel's operations in the band, it would help ensure that the BAS relocation is completed without complication by 2007, will minimize disruption to BAS operations, and will simplify negotiations with BAS incumbents.²⁹⁵ Nextel, MSTV and NAB also claim the costs of relocating these BAS licensees (which represent 5.5% of all BAS licensees that will be relocated) would be minimal (4.5% of the estimated total cost of BAS relocation).²⁹⁶ In addition, Nextel, MSTV and NAB note that MSS licensees would not be obligated to pay for any relocation of secondary BAS operations and Nextel would not seek reimbursement from MSS licensees for the costs to relocate these secondary BAS operations.²⁹⁷

4. In Appendix B, we replace the channel range 511-830 listed in Section 90.617(g) with channel range 551-830. Thus, Section 90.617(g) is corrected to read as follows:

§ 90.617 Frequencies in the 809.750-824/854.750-869 MHz, and 896-901/935-940 MHz bands available for trunked, conventional or cellular system use in non-border areas.

(g) In a given 800 MHz NPSPAC region, channels below 471 listed in Tables 2 and 4B which are vacated by licensees relocating to channels 551-830 and which remain vacant after band reconfiguration will be available as follows: ***

5. This action is taken under delegated authority pursuant to Sections 0.131 and 0.331 of the Commission's Rules, 47 C.F.R. §§ 0.131, 0.331.

FEDERAL COMMUNICATIONS COMMISSION

Michael J. Wilhelm
Chief, Public Safety and Critical Infrastructure Division
Wireless Telecommunications Bureau